



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## DECISION

Dispute Codes      **CNC, RP, OLC, FFT**

### Introduction

This hearing dealt with the Tenants' application pursuant to the *Residential Tenancy Act* (the "Act") for:

1. Cancellation of the Landlord's One Month Notice to End Tenancy for Cause (the "One Month Notice") pursuant to Section 47 of the Act;
2. An Order for repairs to the unit, I have contacted the Landlord in writing to make repairs but they have not been completed pursuant to Section 32 of the Act;
3. An Order for the Landlord to comply with the Act, regulations, and tenancy agreement pursuant to Section 62(3) of the Act; and,
4. Recovery of the application filing fee pursuant to Section 72 of the Act.

The hearing was conducted via teleconference. The Landlord and the Tenants attended the hearing at the appointed date and time. Both parties were each given a full opportunity to be heard, to present affirmed testimony, to call witnesses, and make submissions.

Both parties were advised that Rule 6.11 of the Residential Tenancy Branch (the "RTB") Rules of Procedure prohibits the recording of dispute resolution hearings. Both parties testified that they were not recording this dispute resolution hearing.

Following introductory remarks, the Tenants advised that they moved out at the end of May 2022, the Landlord confirmed their move out date was May 31, 2022. I advised the parties as the Tenants have accepted the Landlord's One Month Notice, the tenancy has ended pursuant to Section 44(1)(a)(iii) of the Act, and the Tenants' application to cancel the Landlord's One Month Notice is dismissed without leave to re-apply. As the

Tenants were not successful in their claim, I do not grant them recovery of the application filing fee. Pursuant to Section 62 of the Act, I have no authority to further adjudicate the claims before me.

The parties may wish to discuss with an Information Officer at the RTB the options available to them moving forward in their matter. An Information Officer can be reached at:

5021 Kingsway

Burnaby, BC

Phone: 250-387-1602 / 1-800-665-8779

Website: <https://www2.gov.bc.ca/gov/content/housing-tenancy/residential-tenancies>

### Conclusion

The Tenants accepted the Landlord's One Month Notice and vacated. The Tenants' application is dismissed without leave to re-apply.

The tenancy ended on May 31, 2022. The Director's authority has ended in this matter.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the Act.

Dated: September 02, 2022

---

Residential Tenancy Branch